

***Remarks***

Claims 1-11 and 19 are pending in this application. Claims 1-9 and 11 are cancelled herein. Accordingly, claims 10 and 19 are now pending in this application.

***Rejection under 35 USC § 103***

Claims 10 and 19 are rejected under 35 U.S.C. 103(a) as being obvious over Andrews et al WO 04/014899.

Initially, Applicants note that Andrews et al and the present application are commonly owned and therefore do not qualify as prior art according to 35 U.S.C. 103(c). The present application is owned by GlaxoGroup Limited and Andrews et al is owned by SmithKline Beecham Corporation both of which are wholly owned subsidiaries of GlaxoSmithKine plc. Attached hereto are the front Title Page of Andrews et WO04/014899 which indicate ownership by SmithKline Beecham Corporation. Also attached is the notice of recordation for the present application indicating ownership by Glaxo Group Limited. Accordingly, Applicants respectfully assert that the rejection is improper and request it be withdrawn.

***Conclusion***

The points and concerns of the Examiner have been addressed in full. Applicants respectfully submit that the instant application is in condition for allowance, which is respectfully requested. Should any issues remain unresolved in this application which would bar issuance, the Examiner is invited to contact the undersigned Attorney at (919) 483-6334 to discuss such issues.

Applicants believe that no fees are due in connection with the filing of this paper other than those specifically authorized herewith. However, should any other fees be deemed necessary to affect the timely filing of this paper the Commissioner is hereby authorized to charge such fees to Deposit Account No. 07-1392.

Respectfully submitted,

  
John L. Lemanowicz  
Attorney for Applicants  
Registration No. 37,380

Date: 16 February, 2009

Glaxo Smith Kline  
Five Moore Drive, PO Box 13398  
Research Triangle Park, North Carolina 27709  
(919) 483-8247

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AUGUST 24, 2006

PTAS  
GLAXOSMITHKLINE, CORP INTELLECTUAL PROP  
FIVE MOORE DRIVE, PO BOX 13398  
MAIN B475  
RESEARCH TRIANGLE PA, NC 27529-3398**\*500142562A\***

\*500142562A\*

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## ASSIGNOR:

BAMBOROUGH, PAUL

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## ASSIGNOR:

MOREY, JAMES VAUGHAN

DOC DATE: 08/30/2005

## ASSIGNEE:

GLAXO GROUP LIMITED  
GLAXO WELLCOME HOUSE, BERKELEY AVE  
GREENFORD, MIDDLESEX, UNITED  
KINGDOM  
UB6 0NN

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(71) Applicant (for all designated States except US):  
**SMITHKLINE BEECHAM CORPORATION** [US/US]; One Franklin Plaza, Philadelphia, PA 19101 (US).

(72) Inventors; and

(75) Inventors/Applicants (for US only): **ANDREWS, III, Clarence, W** [US/US]; GlaxoSmithKline, Five Moore Drive, PO Box 13398, Research Triangle Park, NC 27709 (US). **CHEUNG, Mui** [CN/US]; GlaxoSmithKline, Five Moore Drive, PO Box 13398, Research Triangle Park, NC 27709 (US). **DAVIS-WARD, Ronda, G** [US/US]; GlaxoSmithKline, Five Moore Drive, PO Box 13398, Research Triangle Park, NC 27709 (US). **DREWRY, David, Harold** [US/US]; GlaxoSmithKline, Five Moore Drive, PO Box 13398, Research Triangle Park, NC 27709 (US). **EMMITTE, Kyle, Allen** [US/US]; GlaxoSmithKline, Five Moore Drive, PO Box 13398, Research Triangle Park, NC 27709 (US). **HUBBARD, Robert, Dale** [US/US]; GlaxoSmithKline, Five Moore Drive, PO Box 13398, Research Triangle Park, NC 27709 (US). **KUNTZ, Kevin, W** [US/US]; GlaxoSmithKline, Five Moore Drive, PO Box 13398, Research Triangle Park, NC 27709 (US).

**LINN, James, Andrew** [US/US]; GlaxoSmithKline, Five Moore Drive, PO Box 13398, Research Triangle Park, NC 27709 (US). **MOOK, Robert, Anthony** [US/US]; GlaxoSmithKline, Five Moore Drive, PO Box 13398, Research Triangle Park, NC 27709 (US). **SMITH, Gary, Keith** [US/US]; GlaxoSmithKline, Five Moore Drive, PO Box 13398, Research Triangle Park, NC 27709 (US). **VEAL, James, Marvin** [US/US]; 8916 Weaver Crossing Road, Apex, NC 27502 (US).

(74) Agents: **LEVY, David, J et al.**; GlaxoSmithKline, Five Moore Drive, PO Box 13398, Research Triangle Park, NC 27709 (US).

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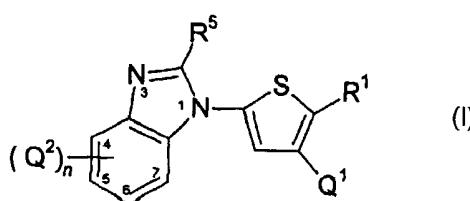
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(54) Title: THIOPHENE COMPOUNDS



(57) Abstract: The present invention provides compounds of formula (I): (I) pharmaceutical compositions containing the same, processes for preparing the same and their use as pharmaceutical agents.

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